

PAROLE ELIGIBILITY

1. First Offender

A person, otherwise eligible for parole, convicted of a first felony offense shall be eligible for parole consideration upon serving one-third of the sentence imposed.

La. R.S. 15:574.4A(1)

This eligibility criteria applies to inmates convicted of violent and non-violent crimes prior to January 1, 1997, but only to those inmates who commit a non-violent offense on or after January 1, 1997.

2. Second Offender

Upon conviction of a second felony offense, such person shall be eligible for parole consideration upon serving one-half of the sentence imposed. **La. R.S. 15:574.4A(1)**

This eligibility criteria applies to inmates convicted of violent and non-violent crimes prior to January 1, 1997, but only to those inmates who commit a non-violent offense on or after January 1, 1997.

3. Intensive Parole Supervision

A person, otherwise eligible for parole, convicted of a non-violent first felony offense and committed to the DPS&C, or a non-violent second felony offense and committed to the DPS&C but never having served time in a state prison, may be eligible for intensive parole supervision upon successful completion of intensive incarceration. Inmates convicted of a crime of violence after January 1, 1997 are not eligible. **La. 15:574.4A(2)**

4. Violent Crimes

Inmates who are serving a sentence for a crime of violence which is **committed on or after January 1, 1997**, and who are otherwise eligible for parole, must serve at least 85% of the sentence imposed before being eligible for any parole consideration. La. R.S. 15:574.4 (**Act 1099 of the 1995 Legislature**)

Comments: The commission date of the crime is used to comply with the ex post facto principle of law. (See Weaver v. Graham, 450 U.S. 24, 29, 101 S.Ct. 960, 964 (1981) and State v. Curtis, 363 So.2d 1375)

Requires the court to "designate whether the crime involved is a crime of violence or an attempted crime of violence as defined or enumerated in R.S. 14:2(13)." (**Act 697 of the 1997 Legislature**)

5. Act 790

Unless eligible for parole at an earlier date, and except for those inmates serving a life sentence or those inmates convicted of a crime of violence committed on or after January 1, 1997, a person sentenced for a term or terms of imprisonment with or without benefit of parole for thirty years or more shall be eligible for parole consideration upon serving at least twenty years of the term or terms of imprisonment in actual custody and upon reaching the age of forty-five. **La. R.S. 15:574.4A(3)(Act 790 of the 1990 Legislature)**